

SUBJECT: Allowing Garza law school graduates to take the bar exam

COMMITTEE: Judicial Affairs: favorable, without amendment

VOTE: 5 ayes — S. Thompson, Rangel, McCollough, Goodman, Perez
1 nay — Wentworth
3 absent — Culberson, Evans, Luna

SENATE VOTE: On final passage, April 30 — 31-0

WITNESSES: None

BACKGROUND: The Reynaldo G. Garza School of Law was established in 1984 in Brownsville but has not been accredited by the American Bar Association. Classes were recently being held in a San Benito High School classroom and in a meeting room at a motel. The Texas Supreme Court granted graduates of the school an exemption in January 1988, to allow 1988 and 1989 graduates of the school to take the bar exam. (Generally, only graduates of accredited law schools are allowed to take the Texas bar exam.)

DIGEST: SB 747 would allow students enrolled in the Reynaldo G. Garza School of Law before June 1, 1989, who graduate before June 1, 1993 to take the bar exam and be licensed if they qualify before June 1, 1993.

SUPPORTERS SAY: SB 747 would simply provide an opportunity to take the bar exam to those students who have been attending this struggling law school. It would be limited to the 18 or so students who were already enrolled in the Garza School of Law in June 1989, when graduates were still allowed by the Texas Supreme Court to take the bar exam. At that time it still appeared possible that the school would be accredited by the ABA.

The bill will not result in any further exceptions since current students at the school have been told that no further extensions will be sought, and the school is not accepting any new students.

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SB 747 would only give these students the opportunity to take the exam, not exempt them from it. Until 1981, applicants were allowed to substitute experience and study in a law office for law school. There cannot be any harm in allowing these students to take the exam.

The Garza School of Law was an attempt to remedy the lack of a law school anywhere in the South Texas area, and this bill would help remedy that problem in a small way.

OPPONENTS
SAY:

The Garza students who did not finish their courses in time to take the bar exam in 1988 or 1989 were never told that they would be allowed to take the exam later. The course catalogs all pointed out specifically that the students might not be qualified to take the bar, and the Supreme Court order of January 1988 was specifically limited to people who graduated before June 1, 1989. They knew that they were taking a risk that the school would not be accredited, and as time went on they should have realized that it would not.

The Reynaldo G. Garza School of Law has reportedly recently sold its library to the Dallas-Fort Worth School of Law, a much larger, completely unaccredited night "law school" in Fort Worth that has hundreds of students. If this bill is approved, there will inevitably be another bill next session, with a much larger group of students asking the Legislature to bend the rules for them too. There is no reason to second-guess the Supreme Court on this issue, since they are the ones who have examined it closely.